UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,829	11/30/2005	Marko Schuba	P17307-US1	2475

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EXAMINER
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ART UNIT	PAPER NUMBER
2431	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/530,829	SCHUBA, MARKO
	Examiner	Art Unit	
	TRANG DOAN	2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *30 November 2005*.
2a) ☐ This action is **FINAL**.　　2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-20* is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-20* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *09 April 2005* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All　b) ☐ Some * c) ☐ None of:
　　　　1. ☒ Certified copies of the priority documents have been received.
　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date *04/09/2005 and 08/09/2006*.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-20 are pending for consideration.

Priority

2.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted on 04/09/2005 and

08/09/2006 is being considered by the examiner.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

5.   Claims 18-20 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

6.   Claims 18-20 recite a computer program, which is interpreted as software per se,

however, the claims fail to assert the program recorded on an appropriate computer-

readable medium so as to be structurally and functionally interrelated to the medium

and permit the function of the descriptive material to be realized. Since a computer

program is merely a set of instructions capable of being executed by a computer without

a computer-readable medium needed to realize the computer program's functionality, it

is regarded as nonstatutory functional descriptive material. See MPEP 2106.01 for

details.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8.   Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by N.

Asokan et al. (Reference U: "Authenticating public terminals") (hereinafter Asokan).

9.   Regarding claim 1, Asokan discloses a method for linking of a first characteristic

of a first device and a second characteristic of a second device by a server comprising

the steps of: receiving a request for triggering a linking between said first device and

said second device (Asokan: page 863, section 3.1: when a user U walks up to an

untrusted terminal, he attaches his device D to the terminal T by some means (e.g.,

infrared link, physical connection); and page 865-866, section 3.3); selecting a first

linking information and a second linking information, the first linking information

matching to the second linking information, sending from the server the first linking

information to the first device and the second linking information to the second device,

presenting by the first device the first linking information and by the second device the

second linking information, entering into the first device an indication of the matching of

the first linking information and the second linking information, based on the entered

indication of the matching, sending to the server a matching confirmation for confirming

the matching to the server, associating the first characteristic and the second

characteristic based on the received matching confirmation (Asokan: page 865-866,

section 3.3).

10.   Regarding claim 2, Asokan discloses wherein the request for linking is a request

for authentication and the first device is a trusted device within said communication

network, further comprising the step of stating the association by an authentication

assertion (Asokan: pages 861-866: S sends a number of challenge/response pairs to

the user via a confidential, authenticated channel to his home base and the user selects

a different authentication vector for each challenge and sends them back to S).

11.   Regarding claims 3 and 12, Asokan discloses wherein the authentication

assertion is sent for granting access (Asokan: page 866).

12.   Regarding claims 4 and 13, Asokan discloses wherein the first device is a trusted

device and the first characteristic relates to an access legitimization legitimating the

trusted device for accessing a first institution (Asokan: pages 865-866).

13.   Regarding claim 5, Asokan discloses wherein the second characteristic

comprises an identifier identifying the second device and access to a second institution

is granted to or via the second device based on the associating of the first characteristic

relating to the access legitimization and the second characteristic comprising the

identifier, the second institution being identical to or different from the first institution

(Asokan: pages 865-866).

14.   Regarding claims 6 and 15, Asokan discloses wherein the first linking information

and the second linking information comprise one or more randomly generated symbols

(Asokan: pages 865-869).

15.   Regarding claims 7 and 16, Asokan discloses wherein the first linking information

is identical to the second linking information (Asokan: pages 861-869).

16.   Regarding claims 8 and 17, Asokan discloses wherein the associating is based

on a verification for correctness of confirmation data entered into the first device

(Asokan: pages 865-866).

17.   Regarding claim 9, Asokan discloses wherein the entered confirmation data

comprises at least one of (a) a Personal Identification Number, (b) a password, (c) an

indication for additional information being presented in parallel to the first linking

information or second linking information, the additional information being

distinguishable from the first linking information and the second linking information, and

(d) data being computed on the base of the first linking information and/or the second

linking information (Asokan: pages 861-869).

18.   Regarding claim 10, Asokan discloses a server usable for linking of a first

characteristic of a first device and a second characteristic of a second device, the server

comprising: a receiving unit for receiving messages, a transmitting unit for sending

messages, and a processing unit for processing messages and information, wherein the

receiving unit is adapted to receive a request for linking, the processing unit is adapted

to be triggered by the received request for linking and to select a first linking information

and a second linking information, the first linking information matching to the second

linking information, the transmission unit is adapted to send the first linking information

to the first device and the second linking information to the second device, the receiving

unit is adapted to receive a matching confirmation from the first device, the matching

confirmation confirming to the processing unit the matching of the first linking

information presented by the first device and the second linking information presented

by the second device, and the processing unit is adapted to execute an associating of

the first characteristic and the second characteristic based on the received matching

confirmation (Asokan: pages 861-869: S sends a number of challenge/response pairs to

the user via a confidential, authenticated channel to his home base and the user selects

a different authentication vector for each challenge and sends them back to S).

19.   Regarding claim 11, Asokan discloses wherein the server is used for

authentication, the request for linking is a request for authentication and the first device

is a trusted device, the processing unit being further adapted to state the association by

an authentication assertion (Asokan: pages 865-869: section 3.3).

20.   Regarding claim 14, Asokan discloses wherein the second characteristic

comprises an identifier identifying the second device and, based on the associating of

the first characteristic relating to the access legitimization and the second characteristic

comprising the identifier, the processing unit is adapted to generate an access assertion

for granting to or via the second device access to a second institution being identical or

different from the first institution, and the transmission unit is adapted to send the

access assertion to the second device or the second institution or to an entity

supporting the second device or the second institution for granting access (Asokan:

pages 865-866: S sends a number of challenge/response pairs to the user via a

confidential, authenticated channel to his home base and the user selects a different

authentication vector for each challenge and sends them back to S).

21.   Regarding claim 18, Asokan discloses a computer program usable for linking of a

first characteristic of a first device and a second characteristic of a second device, the

computer program being loadable into a processing unit of a server, wherein the

computer program comprises: code adapted to be triggered by a request for linking, to

select a first linking information and a second linking information, the first linking

information matching to the second linking information, to initialize a sending of the first

linking information to the first device and a sending of the second linking information to

the second device, and to execute an associating of the first characteristic and the

second characteristic based on a matching confirmation received from the first device,

the matching confirmation confirming to the computer program the matching of the first

linking information presented by the first device and the second linking information

presented by the second device (Asokan: pages 865-869, section 3.3: S sends a

number of challenge/response pairs to the user via a confidential, authenticated channel

to his home base and the user selects a different authentication vector for each

challenge and sends them back to S).

22.   Regarding claim 19, Asokan discloses wherein the association is further based

on a verification for correctness of confirmation data entered into the first device

(Asokan: pages 865-866).

23.   Regarding claim 20, Asokan discloses wherein said entered confirmation data

includes a password (Asokan: pages 865-866).

Conclusion

        Any inquiry concerning this communication or earlier communications from the

examiner should be directed to TRANG DOAN whose telephone number is (571)272-

0740. The examiner can normally be reached on Monday-Friday.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Trang Doan/
Examiner, Art Unit 2431
/Syed   Zia/
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